

# **North County Multiple Species Conservation Program Plan --**

## **Frequently Asked Questions**

### **1. What is the Multiple Species Conservation Program (MSCP)?**

The MSCP is a regional plan to ensure the long-term survival of sensitive plant and animal species and protect the natural vegetation found throughout San Diego County and provide for economic development of the region. The MSCP addresses the potential impacts urban growth may have on natural habitat loss and species endangerment and creates a plan to mitigate for the possible loss of sensitive species and their habitats. Large-scale open-space preserves are created through acquisition of land by private and public entities as well as through the development process as landowners set aside open space for mitigation purposes. Where appropriate, these large-scale preserves will be available to the public for hiking and other recreation. The ordinances and regulations that constitute the MSCP program are also intended to provide a consistent process enabling development to occur. This is intended to provide more certainty for landowners and developers regarding mitigation associated with land development.

The MSCP is the result of a cooperative effort by local, state and federal governments and private organizations. The County Board of Supervisors approved the first MSCP Subarea Plan for the southwestern portion of the County in October 1997. The North County MSCP is under preparation for the unincorporated portions of Northern San Diego County. An East County MSCP Plan is in its initial planning stages.

### **2. Why was the MSCP developed?**

The MSCP was developed to serve two purposes: 1) to conserve native vegetation communities and associated species, rather than focusing on single species on a project-by-project basis, 2) to streamline the development process. From a conservation viewpoint, historic loss of native vegetation communities has resulted in many wildlife species becoming increasingly rare, and in some cases threatened with extinction. Without a plan to conserve multiple species, federal and state species listings would continue, thereby placing constraints on future development adversely affecting the housing availability and the overall economic health of the region. The MSCP further benefits development by streamlining the development process on lands with federal or state listed species. Currently, landowners must apply to the State and Federal wildlife agencies for permits related to endangered species. However, under the MSCP, landowners will be covered by the County's permit and obtain "Third Party Beneficiary Status" which means they will no longer have to apply to the State and Federal agencies for a permit.

### **3. What areas are covered by the NCMSCP Plan?**

The NCMSCP Plan is proposed to cover the northwestern portion of the unincorporated area of the County. It includes the communities of Bonsall, De Luz, Fallbrook, Harmony Grove, Lilac, Pala, Pauma Valley, Rainbow, Ramona, Rincon Springs, Twin Oaks Valley, and Valley Center. The NCMSCP Plan study area can be viewed at: [http://dplu-mscp.sdcounty.ca.gov//8\\_nocoup/ncupd.html](http://dplu-mscp.sdcounty.ca.gov//8_nocoup/ncupd.html).

### **4. How do I find out if my property is within the NCMSCP?**

You may contact the Department of Planning and Land Use at (858) 565-5981 to inquire about your property. You may also view an interactive map on the SanGIS website ([www.sangis.org](http://www.sangis.org)) to locate your property. This map will show proposed designations for your land or community according to the current draft map.

### **5. What is a Pre-Approved Mitigation Area (PAMA)?**

A PAMA is an area identified with high biological value in which conservation will be encouraged. This will be done by providing mitigation\* ratios that favor developing outside of the PAMA and mitigating inside the PAMA. These areas may also be targets for acquisition by various entities from willing sellers when funding is available.

\*Mitigation - actions to help lessen the severity of a project's impact on the environment. Examples include preserving habitat by open space easement, purchasing "mitigation credits" in a mitigation bank, restoring natural areas, or by other means. Existing Federal and State regulations require reduction of impacts through mitigation for impacts.

### **6. Will I still be able to develop my land if it is included within the PAMA?**

Under the MSCP, some development projects will be exempted from State and Federal Regulations; others will need to meet certain criteria as negotiated by the County and the federal and state wildlife agencies in order to be approved.

# **North County Multiple Species Conservation Program Plan --**

## **Frequently Asked Questions**

In general, building single-family residences will not require environmental review and will therefore not be affected by the MSCP. Subdivisions of land, or other discretionary actions, will require environmental review (with some exceptions) and will need to conform to the preset guidelines and criteria in the NCMSCP.

### **7. How will being in the MSCP affect the processing of my subdivision/permit?**

The time and costs involved with the environmental review of your project should not be significantly affected due to the MSCP. Currently, a number of factors affect development including critical habitat designations and listings of species as rare and endangered and other environmental and planning issues. Your project may require revisions depending on its location within the North County MSCP, timing of proposed development approval, and the biological resources present on the site. You may also be required to provide mitigation for any impacts your project might have on sensitive resources; however, mitigation ratios currently proposed in the Draft North County MSCP are lower than current practices.

### **8. Will the government condemn my land for the MSCP?**

In accordance with the Board of Supervisors deal points adopted as part of the first MSCP Plan, the County will only purchase lands from willing sellers. Federal and state agencies involved with land acquisition have stated similar restrictions on condemnation.

### **9. Can I clear vegetation for fire safety within the MSCP?**

Yes. County Fire Marshals require the clearing of hazardous vegetation close to houses and buildings in the unincorporated area. However, citizens raise concerns as to whether these activities would be in violation of the State and Federal Endangered Species Acts. In response to these concerns, the County Fire Chief's Association and the wildlife agencies, i.e., California Department of Fish & Game (CDFG) and U.S. Fish & Wildlife Service (USFWS), signed a Memorandum of Understanding (MOU) in 1997. This MOU allows private landowners to comply with a Fire Marshal's Order, which is generally 100 feet of clearing around structures built prior to the MOU, without being subject to enforcement under the Endangered Species Act.

Clearing in areas beyond that required by the Fire Marshal's Order may require permits issued by Federal, State, and/or County authorities. For more information, please contact the Department of Planning and Land Use, Zoning Information Counter, at (858) 565-5981 or 1-888-267-8770, CDFG at (858) 467-4201, and USFWS at (760) 431-9440.

### **10. How will conserved habitats and species be managed?**

The Framework Management Plan created for the existing MSCP in southwestern San Diego County is available on our website ([http://cosda102.co.san-diego.ca.us/3\\_ia/FrameworkMgmtPlanText.pdf](http://cosda102.co.san-diego.ca.us/3_ia/FrameworkMgmtPlanText.pdf)). This document explains how lands are being managed. Adaptive management is used on all preserves, so that management techniques will change as monitoring information indicates that it should. This plan is being revised for the NCMSCP Plan and will be circulated with the Plan during public review.

### **11. What happens if new species are listed after this plan is approved?**

The goal of the MSCP is to adequately conserve habitat to prevent future listings of species. Those on the list of covered species in the plan will not require any additional restrictions and would be covered under the County's incidental take permit. For species not on the list, there are specific provisions in the plan that includes evaluating if the habitat required by the species is adequately covered by the MSCP. The County may seek to amend its agreement with the Wildlife Agencies to gain "coverage" for the newly listed species.

### **12. What are the agriculture policies in the NCMSCP Plan?**

The County recognizes that agricultural lands have conservation value for endangered species and wildlife in general. A unique opportunity exists in San Diego County to coordinate habitat conservation programs, such as the MSCP, with farming programs. MSCP and farming programs complement each other by conserving resources and providing regulatory relief to landowners. The County is investigating opportunities for funding

## **North County Multiple Species Conservation Program Plan -- Frequently Asked Questions**

sources to assist in maintaining working farms and ranches. For more information on developing concepts to provide incentives to agricultural landowners, please visit the "San Diego County Farming Program" website at <http://www.sdfarmingprogram.org>.

### **13. Will there be opportunity for more public input before the NCMSCP Plan is adopted?**

Yes. There are still many opportunities for public input on this Plan. There will be further workshops with various stakeholder groups. A Joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) will be prepared and sent out for public review and comment in 2007. After further public review, the Plan will be considered at public hearings by the Planning Commission and Board of Supervisors.

### **14. How do I get more information on the North County MSCP?**

Visit our website at [www.mscp-sandiego.org](http://www.mscp-sandiego.org) for more information on MSCP and related topics. You can also obtain MSCP maps from SanGIS at <http://www.sangis.org>. (There is a cost for reproduction associated with the maps.)

For other questions about the North County MSCP, please contact Jeremy Buegge at (858) 694-3719 or Adam Wagschal at (858) 495-5254. For questions relating to the processing of private or public projects and their conformance to the MSCP, please contact Mindy Fogg at (858) 694-3831.